

## Remarks

After careful consideration of the outstanding Office Action, this application has been amended accordingly, and favorable reconsideration on the merits thereof is at this time respectfully requested.

The undersigned will consider the objections/rejections chronologically as set forth in the Office Action beginning at the top of page 3.

At page 3, the first paragraph thereof, the Examiner made reference to the expression "a traction drive" and stated that the "Examiner still does not know what applicant is referring to as the 'traction drive.'" The "traction drive" or simply "drive" is the drive for driving or moving the "self-propelled road-building machine." The adjective "traction" is perhaps superfluous in the sense it meant the inherent necessity of imparting "traction" to the machine to assure its self-propelled movement. To avoid any ambiguities, the word "traction" has been deleted from the two occurrences in claim 10. It is believed that this change to claim 10 and the explanation provided should satisfy the Examiner's objection to the recitation of "traction drive" and thereby render the objection moot.

At page 3, paragraphs 5 and 6, the Examiner rejected claims 10 through 23 "under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." The Examiner made specific mention to recitations appearing in claims 10, 11, 12 and 23.

With respect to claim 10, lines 12 and 13, the expressions "the actual rotation angle  $\mu$ " and "the rotational position" each "lacks antecedent basis."

The fourth limitation of claim 10 has been changed to read "a rotatable driver's seat (5) **having a rotational position defined by an actual**

**rotation angle  $\mu$ .**" The latter amendment satisfies the first objection with respect to claim 10, line 12 by changing "the" in the expression "the actual rotation angle  $\mu$ " to – a –.

In a similar fashion, the objection to the expression "**the** rotational position" has been rendered moot by changing "the" to – a –.

In view of the foregoing, claim 10 is now believed definite and in full compliance with 35 U.S.C. 112, second paragraph, by particularly pointing out and distinctly claiming the subject matter which applicant regards as the invention.

With respect to claims 11 and 12, the Examiner's observation is correct, namely, "whether 'the actual rotation angle' the same as 'the instantaneous rotation angle'!" In claims 11 and 12, as well as claim 13, "instantaneous" has been changed to correctly reflect the "actual" rotation angle  $\mu$ . These amendments thereby avoid the objections of record with respect to claims 11 and 12, as well as claim 13.

The Examiner's objection to the phrase "the actual rotation angle  $\mu$ " appearing in line 6 of claim 23 has been corrected in the same manner as in claim 10, namely changing the same to read "detecting **an** actual rotation angle  $\mu$ ."

The final objection concerns lines 10 through 12 of claim 23. The objected-to phraseology has been cancelled in its entirety and the new limitation substituted therefor is believed to better particularly point out and distinctly claim applicant's subject matter, namely, the direction of actuation of the control elements coincides (as opposed to the broader "corresponding") to the direction of movement of the vehicle in any rotational position of the seat. Thus, the step that achieves the invention is

that of "coinciding the direction of actuation of the control elements to the direction of movement of the vehicle in any rotational position of the seat."

It should be noted by the Examiner that the "coinciding" step of claim 23 corresponds to the limitation of claim 10 now reciting "that the direction of actuation of the control elements **coincides** to the direction of movement of the vehicle in any rotational position of the seat." Except for being more specific ("coincides" versus "corresponds" and "coinciding" versus "corresponding"), claims 10 and 23 each avoid the Section 112 rejection presently of record.

In view of the foregoing, the withdrawal of the 35 U.S.C. § 112, second paragraph rejection, is herewith respectfully requested.

As a matter of housekeeping, it is noted for the record that the objection at page 2, paragraph 1 to "Claim 10" applies to "Claim 18, lines 2 and 3" which has been corrected by changing reference numeral "8" to the numeral – 6 –.


Pursuant to the explanation of the meaning of the "traction drive" and the amendment thereto so simply – drive –, the rejection of the claims "as failing to comply with the enablement requirement" is also considered moot. Accordingly, the withdrawal of the 35 U.S.C. § 112, first paragraph and second paragraph rejections presently of record is herewith respectfully requested.

Upon the withdrawal of both formal rejections of record, the allowance of the present application at an early date is herewith respectfully requested.

Very respectfully,

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